

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHIGAN DEPARTMENT OF
TRANSPORTATION,

Plaintiff,

Case No. 10-12234

v.

Honorable Patrick J. Duggan

DETROIT INTERNATIONAL BRIDGE
COMPANY and SAFECO INSURANCE
COMPANY OF AMERICA,

Defendants.

OPINION AND ORDER

At a session of said Court, held in the U.S.
District Courthouse, Eastern District
of Michigan, on August 18, 2010.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

On June 7, 2010, the Detroit International Bridge Company (“DIBC”) removed this action from the Wayne County Circuit Court alleging federal question jurisdiction.¹ On June 11, 2010, the Michigan Department of Transportation (“MDOT”) filed a motion for remand. On August 17, 2010, the Court granted the MDOT’s motion, concluding both that the DIBC’s notice of removal was untimely and that the Court lacks subject-matter jurisdiction over the lawsuit.

¹Safeco Insurance Company of America (“Safeco”) filed a joinder/concurrence in removal on June 9, 2010.

Presently pending before the Court is Superior Global Inc.'s motion to intervene, filed on August 17, 2010. Because this Court lacks jurisdiction over the lawsuit and has ordered that the case be remanded to Wayne County Circuit Court, the Court has no authority to decide Superior Global Inc.'s motion.

Accordingly,

IT IS ORDERED that Superior Global Inc.'s motion to intervene is **DENIED AS MOOT.**

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

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